



**Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 47
AGENDA DATE: Thu 09/01/2005
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SUBJECT: Set a public hearing to consider an ordinance amending sections 30-1-93, 30-1-131, 30-2-40, and 30-2-56(C) of the City Code, in accordance with the Third Amendment to the Agreement on Subdivision Platting in the Extraterritorial Jurisdiction Between the City of Austin and Travis County. (Suggested date and time: September 29, 2005 at 6:00pm, City Council Chambers.)

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Watershed Protection and **DIRECTOR'S**
DEPARTMENT: Development Review **AUTHORIZATION:** Joe Pantalione

FOR MORE INFORMATION CONTACT: Trann Lackey, 974-3341; Tammie Williamson, 974-3056; Jacqueline Ramos, 974-3371

PRIOR COUNCIL ACTION: Council approved the Third Amendment to the Agreement on Subdivision Platting in the Extraterritorial Jurisdiction Between the City of Austin and Travis County on September 21, 2004.

BOARD AND COMMISSION ACTION: N/A

State law was amended in 2001 (HB 1445) to require cities and counties to enter into agreements regarding regulation of subdivisions in ETJ areas. The law, as amended in 2003, (SB 1204) gave four options for such agreements. The City and Travis County selected the joint regulation option and agreed to regulate subdivisions through a Single Office for the processing and review of subdivisions within their shared jurisdiction. The agreement on Subdivision Platting in the Extraterritorial Jurisdiction Between the City of Austin and Travis County ("Agreement") has been amended three times. State law and the agreement required the adoption of a single set of regulations, which appear in the City Code as Title 30.

In the Third Amendment to the Agreement the City and the County agreed to amend their subdivision regulations to incorporate certain provisions of the Third Amendment by October 1, 2005. Travis County staff is processing corresponding amendments through the County's Code amendment process. The recommended amendments to City Code Title 30 would:

(1) provide that the City and County jointly name a manager of the single office. This proposed code amendment would amend Section 30-1-93 of the City Code by adding new Subsection (E) to provide for this position.

(2) amend Section 30-1-93 by adding new Subsection (F) to divide subdivision review responsibilities. This is in accordance with the division of responsibilities between the City and the County adopted in the Third Amendment as shown in the chart below. This division was based on (A) whether the project was located in the Near Term Annexation Area ("NTAA"), (B) whether the project was participating in the Regional Stormwater Management Program ("RSMP"), and (C) whether the project was located in Desired Development Zone ("DDZ") or the Drinking Water Protection Zone



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("DWPZ").

Case Manager	County	City	City
Transportation	County	County	City
Drainage [Non-RSMP participant]	County	County	City
Drainage [RSMP participant]	City	City	City
Environmental and Utilities	City	City	City
Inspection of Infrastructure Installation	City	City	City

(3) amend Section 30-1-131 by requiring fees to reflect this division of responsibilities in the chart above. Required changes have already been made by Council to the fee schedule on November 4, 2004. The proposed code amendment also requires the City and the County to calculate fees due on an application and to collect both fees from the applicant.

(4) amend the Code to allow the single office to review and approve, disapprove, or deny a plat vacation, replat, or amending plat in accordance with the standards and procedures in Local Government Code Section 212.013 (Vacating Plat), Section 212.014 (Replatting Without Vacating Plat), Section 212.015 (Additional Requirements For Certain Replats), and Section 212.016 (Amending Plat). The proposed code amendment would add a Subsection 30-2-40(A) to accomplish that. This is not a change from current City requirements.

(5) amend the Code by adding a Subsection 30-2-40(B) to allow the City and the County to provide a single joint notice stating the dates of the city and county hearings for a notice required by Local Government Code Section 212.015 (Additional Requirements For Certain Replats) or Section 212.016 (Amending Plat). This is not a change from current City requirements.

(6) amend City Code Subsection 30-2-56(C) to change the preliminary plan review deadline to 28 days from a range of days based on acreage. The deadlines formally ranged from 21 to 35 days depending on the acreage of the preliminary plan.